

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Zhen Liu, et al	Confirmation No.: 8375
Serial No.: 10/810,152	Examiner: Ahluwalia, Navneet
Filing Date: March 26, 2004	Art Unit: 2166
For: TECHNIQUES FOR MANAGING XML DATA ASSOCIATED WITH MULTIPLE EXECUTION UNITS	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Dear Sir:

This is in response to the Office Action mailed December 23, 2008, the shortened statutory period for which runs until March 23, 2009. Please revise the subject application in view of the following remarks.

PRELIMINARY MATTER

As a preliminary matter, the applicants note that Claims 1-38 and 50 are currently rejected on the same basis (35 U.S.C. § 102(e)) as they were rejected in the very first Office Action, mailed more than two years ago.

It appears that after receiving applicants' first Response, the Patent Office became aware that this ground of rejection cannot be maintained. Consequently, by the time the Office mailed a second Office Action, the Office dropped the rejection of Claims 1-38 and 50 under 35 U.S.C. § 102(e), and had not rejected Claims 1-38 and 50 under 35 U.S.C. § 102(e) for two years.